

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA,

v.

01:17-CR-00292-AJB-2

EDGAR GUERRERO CRUZ,

Defendant.

O R D E R

This matter is before the Court for consideration of the Report and Recommendation (“R&R”) of Magistrate Judge Alan J. Baverman [Doc. 119]. Judge Baverman concludes that Defendant is presently competent and recommends that the District Court find by a preponderance of the evidence for reasons contained in the R&R that based upon the uncontradicted evidence, Defendant is able to understand the nature and consequences of the proceedings against him and to assist in preparation of his defense pursuant to 18 U.S.C. § 4241(d).

After conducting a careful and complete review of a magistrate judge’s findings and recommendations, a district court judge may accept, reject, or modify a magistrate judge’s R&R. 28 U.S.C. § 636(b)(1) (C); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982). No objections to the magistrate judge’s R&R have been

filed, and therefore, the Court has reviewed the R&R for plain error. See United States v. Slay, 714 F.2d 1093, 1095 (11th Cir. 1983). The Court finds no error.

Accordingly the Court **ADOPTS** the R&R [Doc. 119] as the opinion of this Court. Defendant is currently scheduled to enter a plea of guilty before the undersigned on March 29, 2018 at 3:00 p.m.

SO ORDERED, this 21st day of March, 2018.

Eleanor L. Ross
Eleanor L. Ross
United States District Judge
Northern District of Georgia